

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventor: Ryutaro HASHI et al. Art Unit 2416  
Appln. No.: 10/511,091 Exr. A. Riyami  
Filed: October 14, 2004 Conf. No. 6147  
For: COMMUNICATION APPARATUS AND COMMUNICATION METHOD

RESPONSE UNDER 37 CFR § 1.116

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated December 9, 2008, the Applicants respectfully request reconsideration and allowance of the above-captioned application in light of the following remarks.

Claims 8 and 14 stand rejected, under 35 USC § 102(e), as being anticipated by Cheshire (US 2005/0125545). Claim 9 stands rejected, under 35 USC § 103(a), as being unpatentable over Cheshire in view of Bakshi (US 6,457,054). Claims 10-13 stand rejected, under 35 USC § 103(a), as being unpatentable over Cheshire in view of Melick et al. (US 7,376,191). The Applicants respectfully traverse these rejections based on the points set forth below.

Claim 8 defines a communication apparatus that: (1) receives a response to a link establishment request communicated to another communication apparatus, (2) transmits